

EGGS

27581. Frozen eggs. (F.D.C. No. 45228. S. No. 31-765 R.)

INFORMATION FILED: 3-24-61, W. Dist. Tenn., against Brown Processing Co., Inc., Memphis, Tenn., and Oliver E. Brown, president.

SHIPPED: 7-11-60, from Tennessee to Louisiana.

LABEL IN PART: (Can) "WHOLE EGGS 30 Lbs. Net Distributed by BAL-LAS EGG PRODUCTS CO. Zanesville Ohio."

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

PLEA: Guilty.

DISPOSITION: 4-11-61. Fine of \$500 against the defendants jointly.

27582. Frozen eggs. (F.D.C. No. 44708. S. No. 2-300 R.)

QUANTITY: 1,064 30-lb. cans at Atlanta, Ga.

SHIPPED: 6-17-60, from New York, N.Y., by Helfer-King Co.

LIBELED: 7-5-60, N. Dist. Ga.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: On 8-16-60, Dahlonga Egg Co., Inc., Murrayville, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the article be released under bond for reconditioning. On 8-16-61, it appearing that the claimant had not complied with the terms of the decree, and that the article had not been reconditioned pursuant to the decree, and after diligent efforts it appearing impossible to recondition the article pursuant to the decree, the court entered an order directing that the article be destroyed.

27583. Frozen egg product. (F.D.C. No. 44617. S. No. 32-686 R.)

QUANTITY: 25 30-lb. cans at New York, N.Y.

SHIPPED: Between 6-22-59 and 8-10-59, from Lakewood, N.J., by B. Zuck & Son.

LABEL IN PART: "Yokes No Sugar" and "Yolks."

LIBELED: 6-16-60, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 1-17-61. Consent—claimed by Standard Butter & Egg Corp., New York, N.Y. Segregated; 7 cans denatured.

FISH AND SHELLFISH

27584. Frozen ocean perch fillets. (F.D.C. No. 45457. S. No. 99-223 R.)

QUANTITY: 2,669 cases of 12 1-lb. pkgs. each, and 72 cases, each containing 5 10-lb. pkgs. each, at Portland, Maine.

SHIPPED: The fillets were from fish caught by the fishing vessel "Medan," in the waters of the Atlantic Ocean outside the territorial limits of the State of Maine, and delivered to Portland, Maine, on or about 12-21-60.

LIBELED: 2-1-61, Dist. Maine.

CHARGE: 402(a)(3)—contained decomposed fish fillets when shipped.

DISPOSITION: 4-12-61. Consent—claimed by Fulham Bros., Inc., Portland, Maine. The fish involved in this libel action and in the libel actions reported in notices of judgment, Nos. 27585 and 27586, were brought into compliance

with the law by segregating the decomposed fish from the good fish. As a result of the segregation operations, 12,150 lbs. of fish involved in the three actions were destroyed.

27585. Frozen ocean perch fillets. (F.D.C. No. 45458. S. No. 99-606 R.)

QUANTITY: 971 cases, 12 1-lb. ctns. each, at Boston, Mass.

SHIPPED: 1-4-61, from Portland, Maine.

LIBELED: 2-1-61, Dist. Mass.

CHARGE: 402(a)(3)—contained decomposed fish fillets while held for sale.

DISPOSITION: 4-7-61. Consent—claimed by Fulham Bros., Inc., Boston, Mass.

The fish involved in this libel action and in the libel actions reported in notices of judgment, Nos. 27584 and 27586, were brought into compliance with the law by segregating the decomposed fish from the good fish. As a result of the segregation operations, 12,150 lbs. of fish involved in the three actions were destroyed.

27586. Frozen ocean perch fillets. (F.D.C. No. 45467. S. No. 58-582 R.)

QUANTITY: 100 cases, each containing 5 boxes of 10 1-lb. pkgs. each at Appleton, Wis.

SHIPPED: 1-5-61, from Boston, Mass., by Fulham Bros., Inc.

LABEL IN PART: (Box) "4 Fishermen Ocean Perch" and (pkg. insert label) "Ocean Perch Fillets 4 Fishermen Fulham Brothers, Inc., Fish Pier Boston, Mass. to be weighed at time of sale."

LIBELED: 2-9-61, E. Dist. Wis.

CHARGE: 402(a)(3)—contained decomposed fish fillets when shipped.

DISPOSITION: 4-3-61. Consent—claimed by Fulham Bros., Inc. The fish involved in this libel action and in the libel actions reported in notices of judgment, Nos. 27584 and 27585, were brought into compliance with the law by segregating the decomposed fish from the good fish. As a result of the segregation operations, 12,150 lbs. of the fish involved in the three actions were destroyed.

27587. Frozen whiting. (F.D.C. No. 46203. S. No. 80-682 R.)

QUANTITY: 156 cases, 12 3-lb. ctns. each, at Gloucester, Mass.

SHIPPED: The fish were caught outside the territorial waters of Massachusetts, and delivered to Gloucester, Mass., about 6-28-61.

LABEL IN PART: (Ctl.) "Booth Quick Frozen Headless Whiting Ready to Cook * * * Packed for Booth Fisheries Corp., Gloucester, Mass."

RESULTS OF INVESTIGATION: The article was prepared and packed into cartons by Booth Fisheries Corp., Sunlight Div., Gloucester, Mass.

LIBELED: 7-31-61, Dist. Mass.

CHARGE: 402(a)(3)—while held for sale, the article contained partially eviscerated fish and decomposed fish; and 403(a)—the label statement "Ready to Cook" and directions for use which called for cooking without further cleaning of the fish, were false and misleading as applied to fish which were only partially eviscerated.

DISPOSITION: 10-2-61. Default—delivered to a public institution for use as animal feed.